

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

Case No.: 20-10683 (SHL)
Chapter 11

51 EAST 73RD ST LLC,

Debtor.

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DECLARATION OF MONIQUE ENDER SILBERMAN

Monique Ender Silberman, duly declares under penalty of perjury as follows:

1. I am the Manager of the above Debtor. I make this Declaration in support of the request by the United States Trustee's Office and at the direction of this Court to provide corporate information regarding the corporate authority for the Debtor's filing of its Chapter 11 case.

2. We had a meeting with the attorneys, on March 3, 2020. I learned that the Chapter 11 Petition had to be filed to stay the foreclosure sale scheduled for the next day.

3. My mother, Simone Ender, was the sole member of 51 East 73rd St Holding LLC, which held 100% equity interest of the Debtor LLC. Simone Ender and her husband, Paul Ender, were signatories to the original Operating Agreement of the Debtor dated as of January 13, 2010 and thereafter Paul Ender transferred his membership interest to Simone Ender and thereafter Simone Ender transferred her 100% interest to the holding company. Paul Ender passed away on July 19, 2015. The Amended and Restated Limited Liability Operating Agreement dated December 31, 2015 (*Exhibit A*) of the Debtor described these transactions in its Preamble.

4. My mother, Simone Ender, is elderly and it would be difficult for her to undertake the management activities necessary in this Chapter 11 case. Simone Ender, as the authorized signatory, and sole member, of the holding company owning the equity interest of the Debtor, appointed me Manager of the Debtor with full power to undertake any action on behalf of the

Debtor and I was further specifically authorized to file a Petition under Chapter 11 of the Bankruptcy Code (Exhibit B). The Petition contained a Corporate Resolution that provided that Monique Ender Silberman, the daughter of Simone Ender, was authorized, as Manager, to file a Petition under Chapter 11 of the Bankruptcy Code (Exhibit C).

5. The Local Rule Affidavit described Monique Ender Silberman as the Manager of the Debtor and Simone Ender, the holder of the holding company, holding a 100% membership interest in the Debtor. The Petition itself was signed by Monique Ender Silberman as Manager of the Debtor.

6. Shortly after the Bankruptcy Petition was filed we finalized an agreement with Arthur Spitzer who has the experience, the ability and the finances to resolve the debts owed by the Debtor and also to effect a renovation and construction of the Debtor's property to maximize its value. Arthur Spitzer received 75% of the equity for these efforts. Arthur Spitzer transferred this interest to his wholly entity Central Park Partners LLC. Mendy Goldstein is the manager for Arthur Spitzer and also has experience in the construction and renovation of real property. Both Mr. Spitzer and Mr. Goldstein fully support the Debtor's Chapter 11 filing and efforts to resolve the claims against it.

Duly declared under penalty of perjury
on May 4, 2020

/s/ Monique Ender Silberman
Monique Ender Silberman